

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
JON SEIGER,

Plaintiff,

—against—

SUMMONSCHURCH OF ST. IGNATIUS LOYOLA, USA
NORTHEAST PROVINCE OF THE SOCIETY OF JESUS,
ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK,
MONASTERY CHURCH OF THE SACRED HEART,
PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER,
CARDINAL HAYES HIGH SCHOOL, ST. JOSEPH & ST.
THOMAS PARISH, OUR LADY OF REFUGE PARISH, ST.
JOSEPH'S CHURCH IN GREENWICH VILLAGE, CHARLES
COEN, JOHN JENIK, And VARIOUS EMPLOYEES AND/OR
OFFICIALS OF MONASTERY CHURCH OF THE SACRED
HEART AND/OR PROVINCE OF ST. MARY OF THE
CAPUCHIN ORDER, AND/OR ROMAN CATHOLIC
ARCHDIOCESE OF NEW YORK, WHOSE NAMES ARE
CURRENTLY UNKNOWN AND THUS ARE DESIGNATED
AS DONALD DOE 1-3,

Defendants.

Index No.:

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TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons (exclusive of the day of service), or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to appear or answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Plaintiff designates Bronx County as the place of trial. The basis of venue is that one or more of the Defendants resides, maintains its principal office, and/or regularly conducts business, in the County of Bronx, State of New York.

DATED: September 17, 2019

KEVIN T. MULHEARN, P.C.*Kevin T. Mulhearn /S*

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254 South Main Street, Suite 406
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Attorneys for Plaintiff, JON SEIGER

Defendants:

CHURCH OF ST. IGNATIUS LOYOLA
908 Park Avenue, New York, New York 10028

USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS
39 East 83rd Street, New York, New York 10028

ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK
1011 1st Avenue, New York, New York 10022

MONASTERY CHURCH OF THE SACRED HEART
108 Shonnard Place, Yonkers, New York 10703

PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER,
30 Gedney Park Drive, White Plains, New York 10605

CARDINAL HAYES HIGH SCHOOL
650 Grand Concourse, Bronx, New York 10451

ST. JOSEPH & ST. THOMAS PARISH
6135 Amboy Road, Staten Island, New York 10309

OUR LADY OF REFUGE PARISH
290 East 196th Street, Bronx, New York 10458

ST. JOSEPH'S CHURCH IN GREENWICH VILLAGE
365 Avenue of the Americas, New York, New York 10014

The Addresses of Defendants, CHARLES COEN, JOHN JENIK,
And VARIOUS EMPLOYEES AND/OR OFFICIALS OF
MONASTERY CHURCH OF THE SACRED HEART AND/OR
PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER,
AND/OR ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK,
WHOSE NAMES ARE CURRENTLY UNKNOWN AND THUS
ARE DESIGNATED AS DONALD DOE 1-3, Are Currently Unknown.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
JON SEIGER,

Plaintiff,

VERIFIED COMPLAINT

—against—

Index No.:

CHURCH OF ST. IGNATIUS LOYOLA, USA
 NORTHEAST PROVINCE OF THE SOCIETY OF JESUS,
 ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK,
 MONASTERY CHURCH OF THE SACRED HEART,
 PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER,
 CARDINAL HAYES HIGH SCHOOL, ST. JOSEPH & ST.
 THOMAS PARISH, OUR LADY OF REFUGE PARISH,
 CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE,
 CHARLES COEN, JOHN JENIK, AND VARIOUS
 EMPLOYEES AND/OR OFFICIALS OF MONASTERY
 CHURCH OF THE SACRED HEART AND/OR PROVINCE
 OF ST. MARY OF THE CAPUCHIN ORDER, AND/OR
 ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK,
 WHOSE NAMES ARE CURRENTLY UNKNOWN AND
 THUS ARE DESIGNATED AS DONALD DOE 1-3,

Defendants.
-----X

Plaintiff, JON SEIGER, by and through his attorneys, Kevin T. Mulhearn,
 P.C. and Darren Jay Epstein, Esq., P.C., complaining of the Defendants, hereby
 alleges that:

PARTIES

1. Plaintiff, JON SEIGER, is a resident of the County of Monroe, State of New York.
2. At all material times, Defendant CHURCH OF ST. IGNATIUS LOYOLA (“ST. IGNATIUS CHURCH”) is a Roman Catholic Church located at 908 Park Avenue, New York, New York 10028, and was and still is under the

control, authority, administration, and supervision of Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK and/or USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS.

3. At all material times, Defendant USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS (“JESUIT ORDER”) has maintained and continues to maintain its principal offices at 39 East 83rd Street, New York, New York 10028.
4. At all material times, Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK (“ARCHDIOCESE”) has maintained and continues to maintain its principal offices at 1011 1st Avenue, New York, New York 10022.
5. At all material times, Defendant CARDINAL HAYES HIGH SCHOOL (“CHHS”) is and has been a Roman Catholic Church High School located at 650 Grand Concourse, Bronx, New York 10451, and was and still is under the control, authority, administration, and supervision of Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK.
6. At all material times, Defendant ST. JOSEPH & ST. THOMAS PARISH (“SJ-ST CHURCH”) is and has been a Roman Catholic Church located at 6135 Amboy Road, Staten Island, New York 10309, and was and still is under the control, authority, administration, and supervision of Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK.

7. At all material times, Defendant OUR LADY OF REFUGE PARISH (“OUR LADY OF REFUGE PARISH Church”) is and has been a Roman Catholic Church located at 290 East 196th Street, Bronx, New York 10458, and was and still is under the control, authority, administration, and supervision of Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK.
8. At all material times, Defendant CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE (“CHURCH OF ST. JOSEPH”) is and has been a Roman Catholic Church located at 365 Avenue of the Americas, New York, New York 10014, and was and still is under the control, authority, administration, and supervision of Defendant ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK.
9. Upon information and belief, JOSEPH ANSALDI was ordained as a priest in the Roman Catholic Church in 1962.
10. Upon information and belief, in the early 1970s, JOSEPH ANSALDI he worked, *inter alia*, as a teacher at CHHS in the Bronx, New York.
11. Upon information and belief, JOSEPH ANSALDI died in 2015.
12. Upon information and belief, Defendant CHARLES COEN was ordained as a priest in the Roman Catholic Church in 1968.
13. Upon information and belief, in the early 1970s, CHARLES COEN worked as a priest at St. Paul’s Church in Staten Island, New York.

14. Upon information and belief, in or about 1975, Defendant CHARLES COEN began working as a priest and pastor at SJ-ST CHURCH.
15. Upon information and belief, Defendant CHARLES COEN currently resides in the State of New York.
16. Upon information and belief, Defendant JOHN JENIK was ordained as a priest in the Roman Catholic Church in 1970.
17. Upon information and belief, beginning in or about 1978, JOHN JENIK worked as a priest at OUR LADY OF REFUGE PARISH Church in the Bronx, New York.
18. Upon information and belief, in or about 2014, Defendant JOHN JENIK was promoted by the Roman Catholic Church to Auxiliary Bishop of New York.
19. Upon information and belief, Defendant JOHN JENIK currently resides in the State of New York.
20. Upon information and belief, ROBERT LOTT was ordained as a priest in the Roman Catholic Church in 1965.
21. Upon information and belief, in the 1970s, ROBERT LOTT worked as a priest at CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE in New York, New York.
22. Upon information and belief, ROBERT LOTT died in 2002.

23. Upon information and belief, all priests who worked at ST. IGNATIUS CHURCH in Manhattan, from 1975 through 1977 (including Father Charles Hoefner), were employees and/or agents of Defendants ARCHDIOCESE and/or JESUIT ORDER and/or ST. IGNATIUS CHURCH.
24. Upon information and belief, all priests who worked at CARDINAL HAYES HIGH SCHOOL in the Bronx, from 1974 through 1977 (including Father Joseph Ansaldi), were employees and/or agents of Defendants ARCHDIOCESE and/or CARDINAL HAYES HIGH SCHOOL.
25. Upon information and belief, all priests who worked at ST. JOSEPH & ST. THOMAS PARISH in Staten Island, from 1974 through 1977 (including Father Charles Coen), were employees and/or agents of Defendants ARCHDIOCESE and/or ST. JOSEPH & ST. THOMAS PARISH.
26. Upon information and belief, all priests who worked at OUR LADY OF REFUGE PARISH Church in the Bronx, from 1977 through 1979 (including Father John Jenik), were employees and/or agents of Defendants ARCHDIOCESE and/or OUR LADY OF REFUGE PARISH.
27. Upon information and belief, all priests who worked at CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE, in Manhattan, from 1974 through 1976 (including Father Robert Lott), were employees and/or agents of Defendants ARCHDIOCESE and/or CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE.

28. Upon information and belief, all records and/or documents in connection with all priests who worked at ST. IGNATIUS CHURCH in Manhattan, from the 1960s through 1978, including all records and/or documents that pertain to sexual abuse complaints and allegations against said priests (including any such abuse complaints or allegations against Father Charles Hoefner), were and continue to be maintained and preserved by Defendants ARCHDIOCESE and/or JESUIT ORDER and/or ST. IGNATIUS CHURCH.
29. Upon information and belief, all records and/or documents in connection with all priests who worked at CARDINAL HAYES HIGH SCHOOL in the Bronx, from the 1960s through 1977, including all records and/or documents that pertain to sexual abuse complaints and allegations against said priests (including any such abuse complaints or allegations against Father Joseph Ansaldi), were and continue to be maintained and preserved by Defendant ARCHDIOCESE and/or CARDINAL HAYES HIGH SCHOOL.
30. Upon information and belief, all records and/or documents in connection with all priests who worked at ST. JOSEPH & ST. THOMAS PARISH Church in Staten Island, from the 1960s through 1977, including all records and/or documents that pertain to sexual abuse complaints and allegations against said priests (including any such abuse complaints or allegations against Father Charles Coen), were and continue to be maintained and

preserved by Defendants ARCHDIOCESE and/or ST. JOSEPH & ST. THOMAS PARISH.

31. Upon information and belief, all records and/or documents in connection with all priests who worked at OUR LADY OF REFUGE PARISH Church in the Bronx, from the 1960s through 1979, including all records and/or documents that pertain to sexual abuse complaints and allegations against said priests (including any such abuse complaints or allegations against Father John Jenik), were and continue to be maintained and preserved by Defendants ARCHDIOCESE and/or OUR LADY OF REFUGE PARISH.
32. Upon information and belief, all records and/or documents in connection with all priests who worked at CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE, in Manhattan, from the 1960s through 1976, including all records and/or documents that pertain to sexual abuse complaints and allegations against said priests (including any such abuse complaints or allegations against Father Robert Lott), were and continue to be maintained and preserved by Defendants ARCHDIOCESE and/or CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE.
33. Upon information and belief, Defendant MONASTERY CHURCH OF THE SACRED HEART (“SACRED HEART MONASTERY”) is a Roman Catholic Church and Monastery located at 108 Shonnard Place, Yonkers, New York 10703, and at all material times was and still is under the control,

authority, administration and supervision of Defendants ARCHDIOCESE
and/or PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER.

34. At all material times, Defendant PROVINCE OF ST. MARY OF THE
CAPUCHIN ORDER (“FRANCISCAN ORDER”) has maintained and
continues to maintain its principal offices at 30 Gedney Park Drive, White
Plains, New York 10605.
35. Upon information and belief, all priests, brothers, friars, monks, or male
members of any other religious order or religious organization that worked
and/or lived in the SACRED HEART MONASTERY, in Yonkers, New
York, from 1975 through 1977 (including the three monks that sexually
assaulted JOHN DOE), were employees and/or agents of Defendants
SACRED HEART MONASTERY, and/or FRANCISCAN ORDER, and/or
ARCHDIOCESE.
36. Defendants, DONALD DOE 1-3, were from various times—from 1975 to
present—employees and/or officials of SACRED HEART MONASTERY
and/or FRANCISCAN ORDER and/or ARCHDIOCESE, and, upon
information and belief, acted in the course of their employment as agents,
fiduciaries, servants, and/or employees of SACRED HEART
MONASTERY and/or FRANCISCAN ORDER and/or ARCHDIOCESE.
37. Upon information and belief, all records and/or documents in connection
with all priests, brothers, friars, monks, or male members of any other

religious order or religious organization that worked at and/or lived in the SACRED HEART MONASTERY, in Yonkers, New York, from the 1960s through 1977, including all records and/or documents that pertain to sexual abuse allegations against said priests, brothers, friars, monks, or male members of any other religious order, were and continue to be maintained and preserved by Defendants SACRED HEART MONASTERY and/or ARCHDIOCESE and/or FRANCISCAN ORDER.

38. Upon information and belief, in the 1960s and 1970s, the Defendants, ST. IGNATIUS, ARCHDIOCESE, SACRED HEART MONASTERY, JESUIT ORDER, FRANCISCAN ORDER, CARDINAL HAYES HIGH SCHOOL, ST. JOSEPH & ST. THOMAS PARISH, OUR LADY OF REFUGE PARISH, and CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE, were informed and otherwise knew (or should have known) that a number of their priests, brothers, monks, and members of various Catholic religious orders, had sexually abused or otherwise engaged in improper sexual activities with children.

39. Upon information and belief, in the 1960s, 1970s, and beyond, the Defendants, ST. IGNATIUS, ARCHDIOCESE, SACRED HEART MONASTERY, JESUIT ORDER, FRANCISCAN ORDER, CARDINAL HAYES HIGH SCHOOL, ST. JOSEPH & ST. THOMAS PARISH, OUR LADY OF REFUGE PARISH, and CHURCH OF ST. JOSEPH IN

GREENWICH VILLAGE, often focused on attempting to rehabilitate their wayward priests, brothers, monks, or members of religious orders, rather than protecting myriad children vulnerable to their predatory propensities and sexual misconduct.

40. Accordingly, upon information and belief, in the 1960s, 1970s, and beyond, Defendants, ST. IGNATIUS, ARCHDIOCESE, SACRED HEART MONASTERY, JESUIT ORDER, FRANCISCAN ORDER, CARDINAL HAYES HIGH SCHOOL, ST. JOSEPH & ST. THOMAS PARISH, OUR LADY OF REFUGE PARISH, and CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE, often took no punitive or prophylactic actions in response to sexual abuse complaints or allegations against wayward priests, brothers, monks, or members of religious orders under their employ and/or supervision, administration and/or authority.

JURISDICTION AND VENUE

41. This Court has jurisdiction pursuant to CPLR §§ 301 and 302, as at least one Defendant has a principal place of business in the County of Bronx, and is therefore domiciled in the County of Bronx, State of New York.

42. Venue is proper pursuant to CPLR § 503, as at least one Defendant resides in and/or maintains its principal office and place of business in the County of Bronx, State of New York.

STATEMENT OF FACTS

43. Plaintiff is a 57-year-old man who was born in June, 1961. He attended a private high school in the Bronx, New York from 1973 to 1979.

44. In early 1975, when he was 14-years-old, Plaintiff began to be regularly sexually assaulted and raped by his high school teacher, a world-renowned music conductor (the “Maestro”).

45. Soon after the Maestro began to regularly sexually assault Plaintiff, he began to force Plaintiff—entirely against Plaintiff’s will—to engage in myriad sexual activities with numerous other adult men.

Abuse Allegations Against Father Charles Hoefner

46. In or about October, 1975, the Maestro drove Plaintiff to ST. IGNATIUS CHURCH, and coerced Plaintiff—a musically talented young man—to join the ST. IGNATIUS CHURCH’s Choir.

47. Plaintiff remained a member of the ST. IGNATIUS CHURCH’s Choir for approximately two and a half years, from approximately October 1975 to May 1977. The Choir performed at all Sunday Church services, as well as at various holiday services or events. The Choir met for practice almost every Wednesday evening, and had additional rehearsals for the Choir’s holiday performances.

48. Soon after Plaintiff joined the ST. IGNATIUS CHURCH’s Choir, it became apparent that the real purpose for his participation (as coordinated by the

Maestro) was to provide sexual gratification to Father Hoefner, the Church's Pastor. By the second week of Choir practice, Father Hoefner compelled Plaintiff to make a confession, questioned him about his masturbatory habits, and commenced the sexual abuse of Plaintiff under the pretext of providing "guidance and treatment" for his "problem."

49. Beginning in approximately October 1975 and continuing through approximately May 1977, Father Hoefner engaged in illicit sexual activities with Plaintiff, a minor child incapable of consenting to sexual activities, frequently and regularly in ST. IGNATIUS CHURCH's Choir room and in various other rooms (including a back office, the Choir practice room, a room in the basement, and a bathroom) in ST. IGNATIUS CHURCH.

50. Father Hoefner's sexual assaults of Plaintiff included fondling, mutual masturbation, compelling Plaintiff to perform oral sex, and compelling Plaintiff to submit to violent and painful anal penetration by Father Hoefner, and, at times, other adult men.

51. Plaintiff was sexually assaulted and/or raped by Father Hoefner on at least thirty separate occasions from approximately October 1975 through May 1977. His sexual abuse was constant and consistent, as it occurred once a week or more.

52. On at least ten occasions, from 1975 through 1977, Father Hoefner enhanced his perverted sexual gratification by violently spanking Plaintiff and/or

whipping his bare buttocks with a belt.

53. In or about January 1976, Father Hoefner introduced Plaintiff to two men who were not dressed as priests. Father Hoefner stood and watched while these men whipped Plaintiff's bare buttocks with a belt and then made him perform oral sex on each of them.

54. On four or five occasions, from approximately December 1975 to January 1978, Father Hoefner brought several younger priests to ST. IGNATIUS CHURCH—and stood and watched while these younger priests likewise sexually assaulted and/or raped Plaintiff.

55. Father Hoefner's sexual assaults of Plaintiff always took place behind closed, locked doors, and on a number of occasions, other ST. IGNATIUS CHURCH officials and/or employees were aware that Father Hoefner was alone in a locked room with a minor child (Plaintiff) after all other Choir members had left ST. IGNATIUS CHURCH.

56. Upon information and belief, Plaintiff was the only student Choir member who lived within walking distance of ST. IGNATIUS CHURCH and therefore did not get a ride home from other Choir members or adults.

57. On numerous occasions, Father Hoefner insisted that Plaintiff visit him at the ST. IGNATIUS CHURCH, even on days where there was no Choir rehearsal, Church services, or other Choir business or activities.

58. Upon information and belief, numerous ST. IGNATIUS CHURCH employees and/or agents witnessed Plaintiff's frequent presence at ST. IGNATIUS CHURCH, in the private company of Father Hoefner, often behind closed and locked doors, when there was no legitimate reason for his presence.
59. Upon information and belief, Father Charles Hoefner ("Father Hoefner") worked as a priest (and Pastor) at ST. IGNATIUS CHURCH, located on 84th Street and Park Avenue in Manhattan, from approximately 1953 until his death in 1992.
60. Upon information and belief, throughout the 1970s, Father Hoefner was also in charge or leading, supervising, organizing, and coordinating the Choir for ST. IGNATIUS CHURCH.
61. Upon information and belief, by at least 1974, each of the Defendants, ST. IGNATIUS CHURCH, JESUIT ORDER, and ARCHDIOCESE, knew or should have known that Father Hoefner had a propensity to sexually abuse children.
62. Upon information and belief, by at least 1974, each of the Defendants, ST. IGNATIUS CHURCH, JESUIT ORDER, and ARCHDIOCESE, knew or should have known that Father Hoefner had previously abused other children and had been previously accused by other children (or other persons) of sexual abuse.

Abuse Allegations Against Father Joseph Ansaldi

63. In late 1975 or early 1976, when Plaintiff was about 14 or 15-years-old, the Maestro drove Plaintiff to CARDINAL HAYES HIGH SCHOOL in the Bronx, after school on a Friday afternoon, and told Plaintiff that he wanted to introduce him to a friend of his who was a priest and “a marvelous educator of young people like yourself.”
64. The Maestro then introduced Plaintiff to Father Joseph Ansaldi as “a promising and talented music student,” “a member of the St, Ignatius Loyola Church Choir and church family in Christ.” The Maestro then left Plaintiff alone with Father Ansaldi at his office in CARDINAL HAYES HIGH SCHOOL and returned to pick him up several hours later.
65. During Plaintiff’s several hours with Father Ansaldi, the two first talked about music and religious topics. Then Father Ansaldi directed the conversation in a more venal and criminal direction. He told Plaintiff that he was expecting him to undress, and let him touch Plaintiff, and masturbate Plaintiff, and that he expected oral sex afterwards, and that Plaintiff shouldn’t think about saying “no,” since it would be “extremely disappointing” if he had to tell the Maestro that Plaintiff was “less than a fully cooperative boy, and unappreciative of this opportunity to meet him.”
66. Father Ansaldi then proceeded to engage in the sexual activities that he had described beforehand (including masturbation and oral sex), with Plaintiff, a

minor child unable to give consent to sexual activities with an adult. This sexual abuse by Father Ansaldi occurred on one occasion in Father Ansaldi's office in CARDINAL HAYES HIGH SCHOOL.

67. Upon information and belief, by at least 1974, each of the Defendants, CARDINAL HAYES HIGH SCHOOL and ARCHDIOCESE, knew or should have known that Father Ansaldi had a propensity to sexually abuse children.

68. Upon information and belief, by at least 1974, each of the Defendants, CARDINAL HAYES HIGH SCHOOL and ARCHDIOCESE, knew or should have known that Father Ansaldi had previously abused other children and had been previously accused by other children (or other persons) of sexual abuse.

Abuse Allegations Against Donald Doe 1-3

69. In or about December 1975, the Maestro also regularly began to take Plaintiff to SACRED HEART MONASTERY and introduced Plaintiff to three monks (who were usually dressed in religious robes).

70. Plaintiff was enlisted to be part of a brass quartet to perform at the SACRED HEART MONASTERY's annual Christmas party. As Plaintiff was the youngest member of this group, and was too young to drive, he was required to wait for a bus (to take him back to his Manhattan home) at SACRED HEART MONASTERY after the other members of his group had left.

71. Plaintiff understood that these three monks lived in and/or worked at the MONASTERY. Each of them, upon information and belief, was a member of the MONASTERY staff, employed by SACRED HEART MONASTERY, or FRANCISCAN ORDER, or ARCHDIOCESE, a resident of the MONASTERY, and present at the MONASTERY's 1975 Christmas party.
72. Over the next three years, from approximately December 1975 to December 1977, these three monks (DONALD DOE 1-3) raped and/or sexually assaulted Plaintiff, a minor child, on between four to five separate occasions—at all times during Christmas and Easter celebrations—at various rooms within SACRED HEART MONASTERY (including small bedrooms, a bathroom, and, upon information and belief, a small classroom).
73. The three monks (DONALD DOE 1-3) were all relatively young men. Upon information and belief, each was under forty-years-old in the mid-70s.
74. These child rapes and sexual assaults, which took place in various rooms throughout SACRED HEART MONASTERY (including small bedrooms, a bathroom, and a small classroom), included fondling, mutual masturbation, compelling Plaintiff to perform oral sex, and compelling Plaintiff to submit to violent and painful anal penetration. These illicit activities occurred during each of the times Plaintiff was sexually assaulted by DONALD DOE 1-3.

75. Upon information and belief, by at least 1974, each of the Defendants,

SACRED HEART MONASTERY, FRANCISCAN ORDER, and

ARCHDIOCESE, knew or should have known that DONALD DOE 1-3

each had a propensity to sexually abuse children and each had been

previously accused by other children (or other persons) of sexual abuse.

76. Plaintiff does not recall the names of any of these monks. He and the other

three members of the brass quartet (older students) were brought into

SACRED HEART MONASTERY, provided food and alcoholic beverages,

and performed their music—after which the three older students left, leaving

Plaintiff at the mercy of DONALD DOE 1-3.

77. Plaintiff does, however, recall their faces with a considerable amount of

detail—as the looks on their faces as each of them obtained sexual

gratification at his suffering and expense is seared into his memory.

78. Plaintiff also remembers that the Maestro told him and the other three

members of the brass quartet—prior to their first performance at SACRED

HEART MONASTERY—that these three monks were known at SACRED

HEART MONASTERY as the monks “with the pink underwear.”

Abuse Allegations Against Father Charles Coen

79. In late 1975 or early 1976, when Plaintiff was about 14 or 15-years-old, the

Maestro also drove Plaintiff to ST. JOSEPH & ST. THOMAS PARISH

Church in Staten Island, and introduced Plaintiff to Father Charles Coen,

who, upon information and belief, was employed as a priest or pastor by

ST. JOSEPH & ST. THOMAS PARISH Church and/or ARCHDIOCESE.

80. The Maestro told Plaintiff that Father Coen was well known in the area for being very active in music, particularly Irish music. Beginning several weeks before this introduction, the Maestro taught Plaintiff to play some Irish songs, so that when he met Father Coen he would be able to sing and play trumpet for the Irish songs for Father Coen.

81. This time, when the Maestro drove Plaintiff to the ST. JOSEPH & ST. THOMAS PARISH Church in Staten Island, he left Plaintiff with some money so that he could take a taxi and the Staten Island Ferry to get home (which he eventually did). The Maestro then left Plaintiff alone with Father Coen.

82. After Plaintiff played some Irish music for Father Coen, the Maestro instructed Plaintiff to be cooperative with Father Coen and, before leaving, told Father Coen that he was “sure that he would enjoy his time with [Plaintiff].”

83. During Plaintiff’s time with Father Coen, Father Coen coerced Plaintiff, a minor child incapable of consent, into performing oral sex on him, and also masturbated Plaintiff (twice). This abuse took place in Father Coen’s office in ST. JOSEPH & ST. THOMAS PARISH Church.

84. Upon information and belief, by at least 1974, each of the Defendants, ST.

JOSEPH & ST. THOMAS PARISH and ARCHDIOCESE, knew or should have known that Father Coen had a propensity to sexually abuse children.

85. Upon information and belief, by at least 1974, each of the Defendants, ST.

JOSEPH & ST. THOMAS PARISH and ARCHDIOCESE, knew or should have known that Father Coen had previously abused other children and had been previously accused by other children (or other persons) of sexual abuse.

Abuse Allegations Against Father Robert Lott

86. In or about 1975, when Plaintiff was about 14-years-old, the Maestro also drove Plaintiff to ST. JOSEPH'S CHURCH IN GREENWICH VILLAGE, in Manhattan, and introduced Plaintiff to Father Robert Lott, who, upon information and belief, was employed as a priest or pastor by the CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and/or ARCHDIOCESE.

87. Prior to his first introduction of Plaintiff to Father Lott, the Maestro told Plaintiff that it would be best for him to spend the night, as it would be safer than for him to travel on the subway uptown late at night.

88. The Maestro drove Plaintiff to CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE to meet with Father Lott on five or six occasions in 1975. Each time, Father Lott provided Plaintiff with alcohol and/or, upon information and belief, laced his drinks with some kind of narcotics.

89. During each time Plaintiff met with Father Lott, Father Lott coerced Plaintiff, a minor child incapable of consent, into performing various sexual activities, including touching, erotic massage, kissing, masturbation, and submitting to violent and painful anal penetration. This abuse took place in Father Lott's residence inside the Church's rectory.
90. Upon information and belief, by at least 1974, each of the Defendants, CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and ARCHDIOCESE, knew or should have known that Father Lott had a propensity to sexually abuse children.
91. Upon information and belief, by at least 1974, each of the Defendants, CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and ARCHDIOCESE, knew or should have known that Father Lott had previously abused other children and had been previously accused by other children (or other persons) of sexual abuse.

Abuse Allegations Against Father John Jenik

92. In or about 1978, when Plaintiff was about 16-years-old, the Maestro also drove Plaintiff to OUR LADY OF REFUGE PARISH Church, in the Bronx, which was less than a ten minute drive from the high school that Plaintiff attended and in which the Maestro taught music. Thereafter, the Maestro introduced Plaintiff to Father John Jenik, who, upon information and belief, was employed as a priest or pastor by OUR LADY OF

REFUGE PARISH Church and/or ARCHDIOCESE.

93. When he introduced Plaintiff to Father Jenik, the Maestro told him that Plaintiff would be “cooperative.”

94. Father Jenik sexually abused Plaintiff on three occasions, twice at the rectory of OUR LADY OF REFUGE PARISH Church (Father Jenik’s residence), and once at a house in or near Tivoli, New York. After two of his three encounters with Father Jenik, Plaintiff was forced to spend the night with Father Jenik at the Church’s rectory.

95. The Maestro drove Plaintiff to OUR LADY OF REFUGE PARISH Church, on three occasions in 1978. Each time, Father Jenik forced Plaintiff to drink a substantial amount of alcohol.

96. During each time Plaintiff met with Father Jenik, Father Jenik coerced Plaintiff, a minor child incapable of consent, into performing various sexual activities, including masturbation, oral sex, and submitting to violent and painful anal penetration.

97. Upon information and belief, by at least 1974, each of the Defendants, OUR LADY OF REFUGE PARISH Church and ARCHDIOCESE, knew or should have known that Father Jenik had a propensity to sexually abuse children.

98. Upon information and belief, by at least 1974, each of the Defendants, OUR LADY OF REFUGE PARISH Church and ARCHDIOCESE, knew or

should have known that Father Jenik had previously abused other children and had been previously accused by other children (or other persons) of sexual abuse.

**AS AND FOR A FIRST CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS ST. IGNATIUS
CHURCH, JESUIT ORDER, AND ARCHDIOCESE)**

99. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

100. At all material times, from 1974 through 1977, Defendants, ST. IGNATIUS CHURCH, JESUIT ORDER, and/or ARCHDIOCESE (collectively, the “ST. IGNATIUS CHURCH DEFENDANTS”) each knew of, or should have known of, its employee, Father Hoefner’s, propensity for engaging in illegal and immoral sexual abuse of children.

101. Nevertheless, the ST. IGNATIUS CHURCH DEFENDANTS carelessly and negligently failed to adequately supervise Father Hoefner, even, upon information and belief, after specific complaints of sexual abuse had been lodged against Father Hoefner by various children or other persons.

102. Upon information and belief, in or about the 1970s, after receiving numerous complaints of sexual misconduct against Father Hoefner, the ST. IGNATIUS CHURCH DEFENDANTS allowed him to maintain in the

exalted positions of Pastor of ST. IGNATIUS CHURCH and Head of the ST. IGNATIUS CHURCH Choir, which kept Father Hoefner in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to his predations.

103. As a direct and proximate result of the ST. IGNATIUS CHURCH DEFENDANTS' negligent supervision of Father Hoefner, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm to Plaintiff was reasonably foreseeable to the ST. IGNATIUS CHURCH DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Father Hoefner's extraordinarily damaging misconduct.

104. The above-stated acts and omissions of the ST. IGNATIUS CHURCH DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

105. Upon information and belief, during all material times herein, when Plaintiff was a member of ST. IGNATIUS CHURCH Choir, and regularly appearing at ST. IGNATIUS CHURCH, and communicating and otherwise interacting with Father Hoefner, Plaintiff was entrusted by his parents to the care of the ST. IGNATIUS CHURCH DEFENDANTS and during such

periods the ST. IGNATIUS CHURCH DEFENDANTS were each acting in the capacity of *in loco parentis* because the ST. IGNATIUS CHURCH DEFENDANTS assumed custody and control over each Plaintiff as a minor child and as a member of the ST. IGNATIUS CHURCH Choir.

106. Upon information and belief, Father Hoefner used his position of trust and authority vested in him by the ST. IGNATIUS CHURCH DEFENDANTS for the purpose of sexually abusing Plaintiff.

107. Upon information and belief, at all material times, the ST. IGNATIUS CHURCH DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their control as a reasonably prudent parent would have exercised under the same circumstances.

108. This means that the ST. IGNATIUS CHURCH DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the ST. IGNATIUS CHURCH DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests and employees like Father Hoefner, who were under the employment and/or supervision and control of the ST. IGNATIUS DEFENDANTS.

109. Upon information and belief, during Father Hoefner's employment by the ST. IGNATIUS CHURCH DEFENDANTS at ST. IGNATIUS

CHURCH and while Plaintiff was in the ST. IGNATIUS CHURCH DEFENDANTS' care, the ST. IGNATIUS CHURCH DEFENDANTS failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

110. During all material times, the ST. IGNATIUS CHURCH DEFENDANTS owed a special duty to Plaintiff that required the ST. IGNATIUS CHURCH DEFENDANTS to take reasonable steps to anticipate such behavior from its priests, employees and associates like Father Hoefner, which threatened the safety of children, including Plaintiff.
111. At all material times, the ST. IGNATIUS DEFENDANTS had a duty to properly supervise Father Hoefner as their employee because of their duty of care to Plaintiff.
112. At all material times, Plaintiff reposed his trust and confidence as a member of the Choir and minor child in the ST. IGNATIUS CHURCH DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.
113. Upon information and belief, at all material times, the ST. IGNATIUS CHURCH DEFENDANTS knew or should have known of Father Hoefner's propensity to sexually abuse children.

114. Upon information and belief, the ST. IGNATIUS CHURCH DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of children under the supervision, care, custody, or control of ST. IGNATIUS CHURCH, or its priests, employees, or associates.
115. Upon information and belief, the ST. IGNATIUS CHURCH DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise Father Hoefner in various ST. IGNATIUS CHURCH rooms, including the Choir room, Choir practice room, back office, basement, and a bathroom, failure to supervise, monitor and/or restrict Father Hoefner's activities with children at the premises of ST. IGNATIUS CHURCH, failure to respond to myriad abuse complaints about Father Hoefner, and the failure to adequately supervise children during their time on the premises of ST. IGNATIUS CHURCH.
116. Upon information and belief, the injuries to Plaintiff resulted from the ST. IGNATIUS CHURCH DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.
117. Upon information and belief, the ST. IGNATIUS CHURCH DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by Father Hoefner.

118. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend considerable sums of money for medical expenses to treat his above-stated mental anguish and pain and suffering and related substance abuse problems.

119. By reason of the foregoing, the ST. IGNATIUS CHURCH DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.

120. Plaintiffs' First Cause of Action (for Negligent Supervision against the ST. IGNATIUS DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that the ST. IGNATIUS DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in

Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

121. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

122. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS SACRED HEART MONASTERY,
FRANCISCAN ORDER, AND ARCHDIOCESE)**

123. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

124. At all material times, from 1975 through 1977, Defendants, SACRED HEART MONASTERY, FRANCISCAN ORDER, and/or ARCHDIOCESE (collectively the “MONASTERY DEFENDANTS”), each knew of, or should have known of, its/their employees’ or associates’ or monks’, DONALD DOE 1-3’s, propensity for engaging in illegal and immoral sexual abuse of children.

125. Nevertheless, the MONASTERY DEFENDANTS carelessly and negligently failed to adequately supervise DONALD DOE 1-3, even, upon information and belief, after specific complaints of sexual abuse had been lodged against DONALD DOE 1-3 by various children or other persons.
126. Upon information and belief, in or about the 1960s or 1970s, after receiving numerous complaints of sexual misconduct against DONALD DOE 1-3, the MONASTERY DEFENDANTS allowed them to maintain their positions at the MONASTERY, which kept DONALD DOE 1-3 in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to their predations.
127. As a direct and proximate result of the MONASTERY DEFENDANTS' negligent supervision of DONALD DOE 1-3, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm—to Plaintiff—was reasonably foreseeable to the MONASTERY DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of DONALD DOE 1-3's extraordinarily damaging misconduct.
128. The above-stated acts and omissions of the MONASTERY DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and

wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

129. Upon information and belief, during all material times herein, when Plaintiff was a member of SACRED HEART MONASTERY's brass quartet, and regularly appearing at SACRED HEART MONASTERY, and communicated and otherwise interacted with DONALD DOE 1-3, Plaintiff was entrusted by his parents to the care of the MONASTERY DEFENDANTS and during such periods the MONASTERY DEFENDANTS were each acting in the capacity of *in loco parentis* because the MONASTERY DEFENDANTS assumed supervision, custody and control over Plaintiff as a minor child and as a member of the SACRED HEART MONASTERY's brass quartet.

130. Upon information and belief, DONALD DOE 1-3 used their positions of trust and authority vested in them by the MONASTERY DEFENDANTS for the purpose of sexually abusing Plaintiff.

131. Upon information and belief, at all material times, the MONASTERY DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their custody, care, control, and supervision as a reasonably prudent parent would have exercised under the same circumstances.

132. This means that the MONASTERY DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the MONASTERY DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests, monks, employees, and associates, like DONALD DOE 1-3, who was under the employment and/or supervision and control of the MONASTERY DEFENDANTS.

133. Upon information and belief, during DONALD DOE 1-3's employment by the MONASTERY DEFENDANTS at SACRED HEART MONASTERY and while Plaintiff was in the MONASTERY DEFENDANTS' care and under their supervision, the MONASTERY DEFENDANTS failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

134. During all material times, the MONASTERY DEFENDANTS owed a special duty to Plaintiff that required the MONASTERY DEFENDANTS to take reasonable steps to anticipate such behavior from its priests, monks, employees and associates like DONALD DOE 1-3, which threatened the safety of children, including Plaintiff.

135. At all material times, the MONASTERY DEFENDANTS had a duty to properly supervise DONALD DOE 1-3 as their employees because of their duty of care to Plaintiff.

136. At all material times, Plaintiff reposed his trust and confidence as a member of the brass quartet and minor child in the MONASTERY DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.
137. Upon information and belief, at all material times, the MONASTERY DEFENDANTS knew or should have known of DONALD DOE 1-3's propensity to sexually abuse children.
138. Upon information and belief, the MONASTERY DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of children under the supervision, custody, or control of SACRED HEART MONASTERY, or its priests, monks, employees or associates.
139. Upon information and belief, the MONASTERY DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise DONALD DOE 1-3's in various SACRED HEART MONASTERY rooms, including bedrooms, bathrooms, and classrooms, failure to supervise, monitor and/or restrict DONALD DOE 1-3's activities with children, failure to respond to myriad abuse complaints about DONALD

DOE 1-3, and the failure to adequately supervise children during their time on the premises of SACRED HEART MONASTERY.

140. Upon information and belief, the injuries to Plaintiff resulted from the MONASTERY DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

141. Upon information and belief, the MONASTERY DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by DONALD DOE 1-3.

142. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend considerable sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.

143. By reason of the foregoing, the MONASTERY DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.

144. Plaintiffs' Second Cause of Action (for Negligent Supervision against the MONASTERY DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that the MONASTERY DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).
145. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).
146. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS CARDINAL HAYES HIGH SCHOOL
AND ARCHDIOCESE)**

147. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

148. At all material times, from 1974 through 1977, Defendants, CARDINAL HAYES HIGH SCHOOL and/or ARCHDIOCESE (collectively the “CHHS DEFENDANTS”), each knew of, or should have known of, its/their employee’s, Father Ansaldi’s, propensity for engaging in illegal and immoral sexual abuse of children.

149. Nevertheless, the CHHS DEFENDANTS carelessly and negligently failed to adequately supervise Father Ansaldi, even, upon information and belief, after specific complaints of sexual abuse had been lodged against Father Ansaldi by various children or other persons.

150. Upon information and belief, in or about the early 1970s, after receiving numerous complaints of sexual misconduct against Father Ansaldi, the CHHS DEFENDANTS allowed him to maintain his teaching position at CARDINAL HAYES HIGH SCHOOL, which kept Father Ansaldi in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to his predations.

151. As a direct and proximate result of the CHHS DEFENDANTS' negligent supervision of Father Ansaldi, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm to Plaintiff was reasonably foreseeable to the CHHS DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Father Ansaldi's extraordinarily damaging misconduct.
152. The above-stated acts and omissions of the CHHS DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.
153. Upon information and belief, during all material times herein, when Plaintiff visited CARDINAL HAYES HIGH SCHOOL, and communicated and otherwise interacted with Father Ansaldi, Plaintiff was entrusted by his parents to the care of the CHHS DEFENDANTS and during such periods the CHHS DEFENDANTS were each acting in the capacity of *in loco parentis* because the CHHS DEFENDANTS assumed supervision, custody and control over Plaintiff as a minor child and a visitor to CARDINAL HAYES HIGH SCHOOL.

154. Upon information and belief, Father Ansaldi used his position of trust and authority vested in him by the CHHS DEFENDANTS for the purpose of sexually abusing Plaintiff.
155. Upon information and belief, at all material times, the CHHS DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their custody, care, control, and supervision as a reasonably prudent parent would have exercised under the same circumstances.
156. This means that the CHHS DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the CHHS DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests and employees, like Father Ansaldi, who was under the employment and/or supervision and control of the CHHS DEFENDANTS.
157. Upon information and belief, during Father Ansaldi's employment by the CHHS DEFENDANTS at CARDINAL HAYES HIGH SCHOOL and while Plaintiff was in the CHHS DEFENDANTS' care and under their supervision, the CHHS DEFENDANTS failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

158. During all material times, the CHHS DEFENDANTS owed a special duty to Plaintiff that required the CHHS DEFENDANTS to take reasonable steps to anticipate such behavior from its priests and employees, like Father Ansaldi, which threatened the safety of children, including Plaintiff.
159. At all material times, the CHHS DEFENDANTS had a duty to properly supervise Father Ansaldi as their employee because of their duty of care to Plaintiff.
160. At all material times, Plaintiff reposed his trust and confidence as a visitor to CARDINAL HAYES HIGH SCHOOL and minor child in the CHHS DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.
161. Upon information and belief, at all material times, the CHHS DEFENDANTS knew or should have known of Father Ansaldi's propensity to sexually abuse children.
162. Upon information and belief, the CHHS DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of children under the supervision, custody, or control of the CHHS DEFENDANTS, or their priests and/or employees.

163. Upon information and belief, the CHHS DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise Father Ansaldi in various CARDINAL HAYES HIGH SCHOOL rooms (including his office at the school), failure to supervise, monitor and/or restrict Father Ansaldi's activities with children, failure to respond to myriad abuse complaints about Father Ansaldi, and the failure to adequately supervise children during their time on the premises of CARDINAL HAYES HIGH SCHOOL.

164. Upon information and belief, the injuries to Plaintiff resulted from the CHHS DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

165. Upon information and belief, the CHHS DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by Father Ansaldi.

166. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to

be obligated to expend considerable sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.

167. By reason of the foregoing, the CHHS DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.

168. Plaintiffs' Third Cause of Action (for Negligent Supervision against the CHHS DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that the CHHS DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

169. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

170. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FOURTH CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS ST. JOSEPH &
ST. THOMAS PARISH AND ARCHDIOCESE)**

171. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.
172. At all material times, from 1974 through 1977, Defendants, ST. JOSEPH & ST. THOMAS PARISH and/or ARCHDIOCESE (collectively the “SJST DEFENDANTS”), each knew of, or should have known of, their employee’s, Father Coen’s , propensity for engaging in illegal and immoral sexual abuse of children.
173. Nevertheless, the SJST DEFENDANTS carelessly and negligently failed to adequately supervise Father Coen, even, upon information and belief, after specific complaints of sexual abuse had been lodged against Father Coen by various children or other persons.
174. Upon information and belief, in or about the 1960s or early 1970s, after receiving numerous complaints of sexual misconduct against Father Coen, the SJST DEFENDANTS allowed him to maintain his exalted position as a priest at ST. JOSEPH & ST. THOMAS PARISH Church,

which kept Father Coen in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to his predations.

175. As a direct and proximate result of the SJST DEFENDANTS' negligent supervision of Father Coen, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm to Plaintiff was reasonably foreseeable to the SJST DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Father Coen's extraordinarily damaging misconduct.

176. The above-stated acts and omissions of the SJST DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

177. Upon information and belief, during all material times herein, when Plaintiff visited ST. JOSEPH & ST. THOMAS PARISH Church, and communicated and otherwise interacted with Father Coen, Plaintiff was entrusted by his parents to the care of the SJST DEFENDANTS and during such periods the SJST DEFENDANTS were each acting in the capacity of *in loco parentis* because the SJST DEFENDANTS assumed supervision,

custody and control over Plaintiff as a minor child and a visitor to ST.

JOSEPH & ST. THOMAS PARISH Church.

178. Upon information and belief, Father Coen used his position of trust and authority vested in him by the SJST DEFENDANTS for the purpose of sexually abusing Plaintiff.

179. Upon information and belief, at all material times, the SJST DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their custody, care, control, and supervision as a reasonably prudent parent would have exercised under the same circumstances.

180. This means that the SJST DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the SJST DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests and employees, like Father Coen, who was under the employment and/or supervision and control of the SJST DEFENDANTS.

181. Upon information and belief, during Father Coen's employment by the SJST DEFENDANTS at ST. JOSEPH & ST. THOMAS PARISH Church and while Plaintiff was in the SJST DEFENDANTS' care and under their supervision, the SJST DEFENDANTS failed to exercise the

degree of care that a reasonably prudent parent would have exercised under similar circumstances.

182. During all material times, the SJST DEFENDANTS owed a special duty to Plaintiff that required the SJST DEFENDANTS to take reasonable steps to anticipate such behavior from its priests and employees, like Father Coen, which threatened the safety of children, including Plaintiff.

183. At all material times, the SJST DEFENDANTS had a duty to properly supervise Father Coen as their employee because of their duty of care to Plaintiff.

184. At all material times, Plaintiff reposed his trust and confidence as a visitor to ST. JOSEPH & ST. THOMAS PARISH Church and minor child in the SJST DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.

185. Upon information and belief, at all material times, the SJST DEFENDANTS knew or should have known of Father Coen's propensity to sexually abuse children.

186. Upon information and belief, the SJST DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of children

under the supervision, custody, or control of the SJST DEFENDANTS, or their priests and/or employees.

187. Upon information and belief, the SJST DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise Father Coen in various ST. JOSEPH & ST. THOMAS PARISH Church rooms (including his office at the Church), failure to supervise, monitor and/or restrict Father Coen's activities with children, failure to respond to myriad abuse complaints about Father Coen, and the failure to adequately supervise children during their time on the premises of ST. JOSEPH & ST. THOMAS PARISH Church.

188. Upon information and belief, the injuries to Plaintiff resulted from the SJST DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

189. Upon information and belief, the SJST DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by Father Coen.

190. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof,

and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend considerable sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.

191. By reason of the foregoing, the SJST DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.

192. Plaintiffs' Fourth Cause of Action (for Negligent Supervision against the SJST DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that the SJST DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

193. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or

more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

194. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FIFTH CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS
OUR LADY OF REFUGE PARISH AND ARCHDIOCESE)**

195. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

196. At all material times, from 1977 through 1979, Defendants, OUR LADY OF REFUGE PARISH and/or ARCHDIOCESE (collectively the “OLORP DEFENDANTS”), each knew of, or should have known of, their employee’s, Father Jenik’s, propensity for engaging in illegal and immoral sexual abuse of children.

197. Nevertheless, the OLORP DEFENDANTS carelessly and negligently failed to adequately supervise Father Jenik, even, upon information and belief, after specific complaints of sexual abuse had been lodged against Father Jenik by various children or other persons.

198. Upon information and belief, in or about the early to mid-1970s, after receiving numerous complaints of sexual misconduct against Father Jenik, the OLORP DEFENDANTS allowed him to maintain his exalted position

as a priest at OUR LADY OF REFUGE PARISH Church, which kept Father Jenik in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to his predations.

199. As a direct and proximate result of the OLORP DEFENDANTS' negligent supervision of Father Jenik, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm—to Plaintiff—was reasonably foreseeable to the OLORP DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Father Jenik's extraordinarily damaging misconduct.

200. The above-stated acts and omissions of the OLORP DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

201. Upon information and belief, during all material times herein, when Plaintiff visited OUR LADY OF REFUGE PARISH Church, and communicated and otherwise interacted with Father Jenik, Plaintiff was entrusted by his parents to the care of the OLORP DEFENDANTS and during such periods the OLORP DEFENDANTS were each acting in the capacity of *in loco parentis* because the OLORP DEFENDANTS assumed

supervision, custody and control over Plaintiff as a minor child and a visitor to OUR LADY OF REFUGE PARISH Church.

202. Upon information and belief, Father Jenik used his position of trust and authority vested in him by the OLORP DEFENDANTS for the purpose of sexually abusing Plaintiff.

203. Upon information and belief, at all material times, the OLORP DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their custody, care, control, and supervision as a reasonably prudent parent would have exercised under the same circumstances.

204. This means that the OLORP DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the OLORP DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests and employees, like Father Jenik, who was under the employment and/or supervision and control of the OLORP DEFENDANTS.

205. Upon information and belief, during Father Jenik's employment by the OLORP DEFENDANTS at OUR LADY OF REFUGE PARISH Church and while Plaintiff was in the OLORP DEFENDANTS' care and under their supervision, the OLORP DEFENDANTS failed to exercise the

degree of care that a reasonably prudent parent would have exercised under similar circumstances.

206. During all material times, the OLORP DEFENDANTS owed a special duty to Plaintiff that required the OLORP DEFENDANTS to take reasonable steps to anticipate such behavior from its priests and employees, like Father Jenik, which threatened the safety of children, including Plaintiff.

207. At all material times, the OLORP DEFENDANTS had a duty to properly supervise Father Jenik as their employee because of their duty of care to Plaintiff.

208. At all material times, Plaintiff reposed his trust and confidence as a visitor to OUR LADY OF REFUGE PARISH Church and minor child in the OLORP DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.

209. Upon information and belief, at all material times, the OLORP DEFENDANTS knew or should have known of Father Jenik's propensity to sexually abuse children.

210. Upon information and belief, the OLORP DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to

prevent inappropriate, offensive, sexual and/or abuse or contact of children under the supervision, custody, or control of the OLORP DEFENDANTS, or their priests and/or employees.

211. Upon information and belief, the OLORP DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise Father Jenik in various OUR LADY OF REFUGE PARISH Church and rectory rooms (including Father Jenik's bedroom at the rectory) , failure to supervise, monitor and/or restrict Father Jenik's activities with children, failure to respond to myriad abuse complaints about Father Jenik, failure to restrict and/or monitor overnight visits by children (like Plaintiff) in the OUR LADY OF REFUGE PARISH Church rectory, failure to take adequate measures to prevent children (like Plaintiff) from drinking alcohol and/or taking illegal substances on Church premises, failure to monitor and/or restrict Father Jenik's out-of-town trips with minor children; and the failure to adequately supervise children during their time on the premises of OUR LADY OF REFUGE PARISH Church (or its rectory).

212. Upon information and belief, the injuries to Plaintiff resulted from the OLORP DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

213. Upon information and belief, the OLORP DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by Father Jenik.
214. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend considerable sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.
215. By reason of the foregoing, the OLORP DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.
216. Plaintiffs' Fifth Cause of Action (for Negligent Supervision against the OLORP DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that the OLORP DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct

which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

217. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

218. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SIXTH CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST DEFENDANTS CHURCH OF ST. JOSEPH
IN GREENWICH VILLAGE AND ARCHDIOCESE)**

219. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

220. At all material times, from 1974 through 1976, Defendants, CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and/or ARCHDIOCESE (collectively the “GV DEFENDANTS”), each knew of, or should have known of, its/their employee’s, Father Lott’s, propensity for engaging in illegal and immoral sexual abuse of children.

221. Nevertheless, the GV DEFENDANTS carelessly and negligently failed to adequately supervise Father Lott, even, upon information and belief, after specific complaints of sexual abuse had been lodged against Father Lott by various children or other persons.
222. Upon information and belief, in or about the early to mid-1970s, after receiving numerous complaints of sexual misconduct against Father Lott, the GV DEFENDANTS allowed him to maintain his exalted position as a priest at ST. JOSEPH'S CHURCH IN GREENWICH VILLAGE, which kept Father Lott in close proximity to many more unsuspecting and innocent children (including Plaintiff) who fell victim to his predations.
223. As a direct and proximate result of the GV DEFENDANTS' negligent supervision of Father Lott, Plaintiff suffered severe sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm to Plaintiff was reasonably foreseeable to the GV DEFENDANTS at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Father Lott's extraordinarily damaging misconduct.
224. The above-stated acts and omissions of the GV DEFENDANTS demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

225. Upon information and belief, during all material times herein, when Plaintiff visited CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE, and communicated and otherwise interacted with Father Lott, Plaintiff was entrusted by his parents to the care of the GV DEFENDANTS and during such periods the GV DEFENDANTS were each acting in the capacity of *in loco parentis* because the GV DEFENDANTS assumed supervision, custody and control over Plaintiff as a minor child and a visitor to CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE.
226. Upon information and belief, Father Lott used his position of trust and authority vested in him by the GV DEFENDANTS for the purpose of sexually abusing Plaintiff.
227. Upon information and belief, at all material times, the GV DEFENDANTS had the duty to exercise the same degree of care and supervision over the children, including Plaintiff, under their custody, care, control, and supervision as a reasonably prudent parent would have exercised under the same circumstances.
228. This means that the GV DEFENDANTS assumed a duty of care to protect the safety and welfare of Plaintiff. At all material times, the GV DEFENDANTS owed a duty to Plaintiff to provide a safe and nurturing environment, where he would be protected from priests and employees, like

Father Lott, who was under the employment and/or supervision and control of the GV DEFENDANTS.

229. Upon information and belief, during Father Lott's employment by the GV DEFENDANTS at CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and while Plaintiff was in the GV DEFENDANTS' care and under their supervision, the GV DEFENDANTS failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

230. During all material times, the GV DEFENDANTS owed a special duty to Plaintiff that required the GV DEFENDANTS to take reasonable steps to anticipate such behavior from its priests and employees, like Father Lott, which threatened the safety of children, including Plaintiff.

231. At all material times, the GV DEFENDANTS had a duty to properly supervise Father Lott as their employee because of their duty of care to Plaintiff.

232. At all material times, Plaintiff reposed his trust and confidence as a visitor to CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE and minor child in the GV DEFENDANTS' care, custody, and control, as they occupied a superior position of influence and authority over Plaintiff and had a duty to provide Plaintiff with a safe and secure environment.

233. Upon information and belief, at all material times, the GV DEFENDANTS knew or should have known of Father Lott's propensity to sexually abuse children.
234. Upon information and belief, the GV DEFENDANTS negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of children under the supervision, custody, or control of the GV DEFENDANTS, or their priests and/or employees.
235. Upon information and belief, the GV DEFENDANTS' failure to supervise, includes but is not limited to: failure to supervise Father Lott in various CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE rooms (including Father Lott's bedroom in the rectory), failure to supervise, monitor and/or restrict Father Lott's activities with children, failure to respond to myriad abuse complaints about Father Lott, failure to restrict and/or monitor overnight visits by children (like Plaintiff) in the CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE rectory, failure to take adequate measures to prevent children (like Plaintiff) from drinking alcohol on Church premises, and the failure to adequately supervise children during their time on the premises of CHURCH OF ST. JOSEPH IN GREENWICH VILLAGE (or its rectory).

236. Upon information and belief, the injuries to Plaintiff resulted from the GV DEFENDANTS' failure to provide Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

237. Upon information and belief, the GV DEFENDANTS were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiff by Father Lott.

238. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend considerable sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.

239. By reason of the foregoing, the GV DEFENDANTS are liable to Plaintiff for compensatory and punitive damages.

240. Plaintiffs' Sixth Cause of Action (for Negligent Supervision against the GV DEFENDANTS) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that

the GV DEFENDANTS committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

241. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

242. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SEVENTH CAUSE OF ACTION:
NEGLIGENT RETENTION
(AGAINST EACH OF THE DEFENDANTS
OTHER THAN DONALD DOE 1-3, CHARLES COEN, AND JOHN JENIK)**

243. Plaintiff repeats and realleges each of the above paragraphs of this Complaint as if fully set forth herein.

244. Upon information and belief, as more fully alleged above, Defendants' duty of care to the Plaintiff included a duty not to retain

employees like Father Hoefner, and DONALD DOE 1-3, and Father Ansaldi, and Father Coen, and Father Jenik, and Father Lott, each of whom used his position of authority and influence to harm children such as Plaintiff.

245. Upon information and belief, Defendants knew or should have known that the Maestro, Father Hoefner, DONALD DOE 1-3, Father Ansaldi, Father Coen, Father Jenik, and Father Lott, were each grooming Plaintiff for the purpose of sexually abusing him, or cause others to sexually abuse him, and failed to take any steps to stop the abuse or prevent harm to Plaintiff.

246. Upon information and belief, as stated above, Defendants knew or should have known that Father Hoefner, and DONALD DOE 1-3, and Father Ansaldi, and Father Coen, and Father Jenik, and Father Lott, were each sexually abusing numerous children, including Plaintiff, and/or knew or should have known of Father Hoefner's, and DONALD DOE 1-3's, and Father Ansaldi's, and Father Coen's, and Father Jenik's, and Father Lott's, propensity to sexually abuse minor children with whom they came in contact and whom they supervised and/or cared for.

247. When Plaintiff was in their care, said Defendants failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

248. Defendants were wanton, reckless, officially tolerant and deliberately indifferent to abuse of the Plaintiff (as described above) by Father Hoefner, and DONALD DOE 1-3, and Father Ansaldi, and Father Coen, and Father Jenik, and Father Lott.

249. Defendants are liable to Plaintiff as a result of their negligence, carelessness, recklessness, official tolerance and deliberate indifference to the harm caused to Plaintiff by Father Hoefner, and DONALD DOE 1-3, and Father Ansaldi, and Father Coen, and Father Jenik, and Father Lott.

250. Each Defendant is liable to Plaintiff for negligent retention in continuing to employ and retain the aforesaid sexual predator employee[s], and continuing to expose innocent children to these sexual predator employee[s], after they knew or should have known that each such sexual predator employee[s] had previously sexually abused children, had a propensity to sexually abuse children, and posed a serious and imminent danger to the health, safety and welfare of all children with whom he came in contact (particularly those children who were introduced to him as a revered authority figure (i.e., one of God's messengers on Earth)).

251. By reason of the foregoing, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and

mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and Plaintiff has become and will continue to be obligated to expend sums of money for medical expenses for such above-stated emotional distress and related substance abuse problems.

252. That by reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages.

253. Plaintiffs' Seventh Cause of Action (for Negligent Retention against each of the Defendants, other than DONALD DOE 1-3, CHARLES COEN and JOHN JENIK) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, Plaintiff alleges that Defendants committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

254. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

255. That the amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR AN EIGHTH CAUSE OF ACTION:
ASSAULT AND BATTERY
(AGAINST DEFENDANTS DONALD DOE 1-3,
CHARLES COEN, AND JOHN JENIK)**

256. Plaintiff repeats and realleges each of the above-stated paragraphs of this Complaint as if fully set forth herein.

257. As described herein, Defendants DONALD DOE 1-3, CHARLES COEN and JOHN JENIK, sexually abused and sexually assaulted the Plaintiff in the 1970s.

258. Defendants DONALD DOE 1-3 repeatedly forced Plaintiff to have sexual intercourse with them (when he was a minor and could not consent), repeatedly sodomized the Plaintiff, repeatedly forced the Plaintiff to perform oral sexual acts, and otherwise committed unlawful sexual acts, in violation of Article 130 of the New York Penal Law, on Plaintiff.

259. Defendant JOHN JENIK repeatedly forced Plaintiff to have sexual intercourse with him (when he was a minor and could not consent), repeatedly sodomized the Plaintiff, repeatedly forced the Plaintiff to perform oral sexual acts, and otherwise committed unlawful sexual acts, in violation of Article 130 of the New York Penal Law, on Plaintiff.
260. Defendant CHARLES COEN forced Plaintiff to perform oral sexual acts on him (when he was a minor and could not consent), and otherwise committed unlawful sexual acts, in violation of Article 130 of the New York Penal Law, on Plaintiff.
261. The above-stated acts and omissions of Defendants DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN, demonstrate a reckless and conscious disregard of the rights, health, and safety of the rights of Plaintiff. The acts of DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN, were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages against Defendants DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN.
262. By reason of the foregoing, Defendants DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN, are each liable to Plaintiff for compensatory and punitive damages.

263. By reason of the foregoing, and as a direct and proximate result of Defendant DONALD DOE 1-3's, and JOHN JENIK's, and CHARLES COEN's conduct, Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature.

264. By reason of the foregoing, and as a direct and proximate result of Defendant DONALD DOE 1-3's, and JOHN JENIK's, and CHARLES COEN's conduct, Plaintiff has battled, and continues to battle, serious substance abuse issues, and has required, and will continue to require, extensive medical care to combat both his emotional distress and mental pain and suffering and related substance abuse problems (at considerable costs).

265. Plaintiff's Eighth Cause of Action (for Assault and Battery against Defendants DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, the Plaintiff alleges that Defendants DONALD DOE 1-3, JOHN JENIK, and CHARLES COEN, each committed intentional acts which resulted in the Plaintiff suffering physical,

psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law.

266. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

267. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

AD DAMNUM CLAUSE

WHEREFORE, based on the aforesaid, Plaintiff hereby respectfully demands judgment in his favor and against each of the Defendants, jointly and severally, together with compensatory and punitive damages, and the interest, costs and disbursements pursuant to the causes of action herein, as well as any other, different or further relief to which this Court may seem just, necessary, or proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: September 17, 2019
Orangeburg, New York

Respectfully submitted by:

KEVIN T. MULHEARN, P.C.

**DARREN JAY EPSTEIN, ESQ.,
P.C.**

Kevin T. Mulhearn /S

Darren J. Epstein /S

By: Kevin T. Mulhearn, Esq.

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Attorneys for Plaintiff, Jon Seiger

VERIFICATION

STATE OF NEW YORK)
) ss
COUNTY OF ROCKLAND)

I, KEVIN T. MULHEARN, the undersigned, an attorney duly admitted to practice law in New York State, hereby state and affirm, under penalty of perjury, that I am one of the attorneys for Plaintiff in the above-entitled action.

I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge except as to those matters stated therein to be alleged on information and belief, and as to those matters I believe them to be true.

The grounds of my belief as to all matters not stated upon my own knowledge are based upon my reasonable belief in those matters, numerous communications with my client, the materials and documents in my file, and the investigations conducted by my office.

This verification is made by me and not by my clients because Plaintiff, my client, resides outside of Rockland County, the County where I maintain my office.

Dated: September 17, 2019

Kevin T. Mulhearn /S

KEVIN T. MULHEARN